

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA, ) No. CR-09-00337-CW  
Plaintiff, )  
v. ) [PROPOSED] ORDER REGARDING  
DANIEL LAWRENCE MCCOY, ) DISCOVERY OF GRAND JURY  
Defendant. ) WITNESSES' TESTIMONY  
\_\_\_\_\_  
)

Pursuant to Federal Rule of Criminal Procedure 6(e), and to the extent they may contain information that is considered prior recorded testimony under the Jencks Act, 18 U.S.C. § 3500, it is hereby ORDERED:

1. The transcripts of the grand jury testimony of Gregory Eckhart and Tehran Palmer (“Discovery”), produced by the United States in this case, is for use by defendant and defense counsel (the “Defense”) for investigating, preparing for trial, trial, and any appeals of this matter and for no other purpose. This Discovery produced by the United States may not be further disseminated in any way to any other person or entity.

2. The Defense shall take all reasonable steps to (a) maintain the confidentiality of this

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1 Discovery and (b) safeguard this Discovery from inadvertent disclosure or review by any third  
2 party.

3 3. The Defense may share this Discovery material with any investigators, consultants or  
4 experts retained by the Defense in connection with this case provided that the Defense informs  
5 any such individual(s) of this Order and obtains their written consent to comply with and be  
6 bound by its terms.

7 4. The Defense may show witnesses this Discovery as necessary for the preparation of the  
8 defense, but witnesses may not be given copies of the materials.

9 5. The Defense shall return any and all copies of this Discovery to the United States or  
10 provide the United States with a certificate of destruction of this Discovery and any and all  
11 copies within 90 days of the conclusion of the proceedings in the above-referenced case,  
12 including any appeal.

13 6. To the extent that any of the above-referenced criminal Discovery materials contain  
14 any individual's personal information, any filings referencing or containing said materials must  
15 be redacted in a manner consistent with the Rules of Criminal Procedure and applicable Local  
16 Rules.

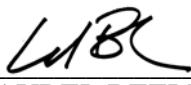
17 7. If defense counsel withdraws or is disqualified from participation in this case, any  
18 Discovery produced pursuant to this order shall be returned to the United States within 10 days.  
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20 Submitted by:

21 /s/ Christina M. McCall  
Christina M. McCall  
22 Assistant U.S. Attorney  
Counsel for the United States  
23

IT IS SO ORDERED.

24  
25 DATED: March 31, 2010

  
26 LAUREL BEELER  
United States Magistrate Judge  
27

28 [PROPOSED] REGARDING DISCOVERY OF GRAND JURY WITNESSES' TESTIMONY  
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